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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/035,830	10/18/2001	Jun Tian	P0468	1787

23735 7590 08/23/2005

DIGIMARC CORPORATION
9405 SW GEMINI DRIVE
BEAVERTON, OR 97008

EXAMINER

PERUNGAVOOR, VENKATANARAY

ART UNIT	PAPER NUMBER
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2132

DATE MAILED: 08/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/035,830

Applicant(s)

TIAN, JUN

Examiner

Venkatanarayanan Perungavoor

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 October 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/11/2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The subject matter of this application admits of illustration by a drawing to facilitate understanding of the invention. Applicant is required to furnish a drawing under 37 CFR 1.81(c). No new matter may be introduced in the required drawing. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 1-4, 30, 34-37 rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,215,421 B1 to Kondo et al.(hereinafter Kondo).
4. Regarding Claim 1, Kondo discloses the compressing the first media and embedding the first media into a second media signal see Abstract & Col 1 Ln 41-53.

5. Regarding Claim 2, Kondo discloses the first data being related to second data see Col 1 Ln 41-53.
6. Regarding Claim 3, Kondo discloses the embedding of sorting order, determining the sort order by bit sequence, modulating the sorting order to match the sorting order associated with the symbol embedded see Col 1 54- Col 2 Ln 3 & Col 16 Ln 18-35.
7. Claim 4 is rejected under the same rationale as Claim 1 above.
8. Regarding Claim 30, Kondo discloses the dividing the signals into blocks(see Fig.14 item S12), partitioning the signal into regions(see item S13), compressing the signal and embedding the redundant instances into a second region(see Col 3 Ln 10-34 & Col 7 Ln 14-30).
9. Claim 34 is rejected under the same rationale as Claim 1 above.
10. Regarding Claim 35, Kondo discloses the lowest order bits being used see Col 9 Ln 31-44.
11. Regarding Claim 36, Kondo discloses the use of key see Col 7 Ln 30-44.

12. Regarding Claim 37, Kondo discloses the permutations see Col 9 Ln 52-57.

13. Claim 5-11, 13-29 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,064,764 to Bhaskaran et al.(hereinafter Bhaskaran).

14. Regarding Claim 5, Bhaskaran discloses the decoding an auxiliary signal which has been compressed and decompressing it see Fig. 2 item 102 & Col 6 Ln 25-27 and use it to authenticate the signal see Col 6 Ln 45-58.(as decoding involves decompressing a JPEG image).

15. Regarding Claim 6, Bhaskaran discloses the decoder analyzing the sorting order and look up symbol according to sorting order see Col 5 Ln 47-65.

16. Claim 7 is rejected along the same rationale as Claim 5 above and also see Col 7 Ln 64-66.

17. Regarding Claim 8, Bhaskaran discloses the decoding being performed on blocks on host see Col 4 Ln 10-16 & Col 5 Ln 5-19.

18. Regarding Claim 9, Bhaskaran discloses the decoded blocks being used to authenticate host see Col 6 Ln 45-67.

19. Regarding Claim 10, Bhaskaran discloses the selecting of blocks and compressing them and embedding the compressed blocks in one of the select blocks and further hashing the embedded compressed blocks to create a watermarked content see Col 5 Ln 5-46.
20. Regarding Claim 11, Bhaskaran discloses an JPEG image see Col 5 Ln 47-51.
21. Claim 13 is rejected along the same lines as Claim 10 above and also see Col 7 Ln 64-66.
22. Regarding Claim 14, Bhaskaran discloses the decoding of content and comparing the hash watermarked content for verify authenticity see Col 6 Ln 41-66.
23. Regarding Claim 15, Bhaskaran discloses the un-watermarking of data to extract compressed content see 4 Ln 26-34.
24. Claim 16 is rejected along the same lines as Claim 14 above and also see Col 7 Ln 64-66.
25. Regarding Claim 17, Bhaskaran discloses the adding of watermark message to a image signal(changing the 63rd bit from zero to nonzero value) see Col 5 Ln 12-

19, the subtracting of image signal the watermark message see Col 5 Ln 34-36, the adding of the difference signal see Col 5 Ln 51-56, and decoding of the information from the watermarked image through subtracting the difference signal from the watermarked image see Col 6 Ln 20-35.

26. Regarding Claim 18, Bhaskaran discloses the computing of hash signal and including the message and information about the embedder function see Col 6 Ln 38-48.

27. Regarding Claim 19, Bhaskaran discloses the embedder function being an 63rd bit because of it always non-zero thus reducing the compression size see Col 5 Ln 14-23.

28. Regarding Claim 20, Bhaskaran discloses the signal being an still image see Col 5 Ln 47-51.

29. Regarding Claim 21 and 22, 26, Bhaskaran discloses the signal being an near uniform and further the comprising RGB see Col 5 Ln 5-15.

30. Claim 23 is rejected along the same lines as Claim 17 above and also see Col 7 Ln 64-66.

31. Regarding Claim 24, Bhaskaran discloses the decoding of watermark message and updating of hash of the new signal and subtracting the signal to get un-watermarked signal and computing a new hash and comparing to determine authenticity see Col 6 Ln 17-58 & Fig. 2 items 102-109.

32. Regarding Claim 25, Bhaskaran discloses the extracting of watermark signals from a watermarked image see Col 6 Ln 33-37.

33. Claim 27 is rejected along the same lines as Claim 24 above and also see Col 7 Ln 64-66.

34. Regarding Claim 28, Bhaskaran discloses the adding of watermark message to a image signal(changing the 63rd bit from zero to nonzero value) see Col 5 Ln 12-19, the subtracting of image signal the watermark message see Col 5 Ln 34-36, the adding of the difference signal see Col 5 Ln 51-56, and decoding of the information from the watermarked image through subtracting the difference signal from the watermarked image see Col 6 Ln 20-35.

35. Claim 29 is rejected along the same lines as Claim 28 above and also see Col 7 Ln 64-66.

Claim Rejections - 35 USC § 103

36. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

37. Claim 12 rejected under 35 U.S.C. 103(a) as being unpatentable over U.S.

Patent 6,064,764 to Bhaskaran et al.(hereinafter Bhaskaran) in view of U.S.

Patent 6,215,421 to Kondo et al.(hereinafter Kondo).

38. Regarding Claim 12, Bhaskaran does not disclose the media content being audio signal. However, Kondo discloses the media content having audio signal see Col 7 Ln 30-55. It would be obvious to one having ordinary skill in the art at the time of the invention to include the audio signal of Kondo in the invention of Bhaskaran in order for it to be used as a key as taught in Kondo see Col 7 Ln 45-49.

39. Claim 31-33, 38 rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,215,421 to Kondo et al.(hereinafter Kondo) in view of U.S. Patent 6,064,764 to Bhaskaran et al.(hereinafter Bhaskaran).

40. Regarding Claim 31-33, Kondo does not disclose the fragile hash being used to compressed signal being used and embedding this in a second region.

However, Bhaskaran discloses the use of fragile hash being used to compressed signal being used and embedding this in a second region see Col 6 Ln 41-58. It would be obvious to one having ordinary skill in the art at the time of the invention to include the use of fragile hash being used to compressed signal being used and embedding this in a second region in the invention of Kondo in order to see if the watermark has been tampered with as taught in Bhaskaran see Col 6 Ln 52-58.

41. Regarding Claim 38, Kondo discloses the dividing the signals into blocks(see Fig.14 item S12), partitioning the signal into regions(see item S13). But Kondo does not disclose the extracting compressed data, and comparing the information of fragile hash. However, Bhaskaran discloses the extracting compressed data, and comparing the information of fragile hash see Col 6 Ln 42-58. It would be obvious to one having ordinary skill in the art at the time of the invention to include the extracting compressed data, and comparing the information of fragile hash in the invention of Kondo in order to provide for tamper protection as taught in Bhaskaran see Col 6 Ln 52-58.

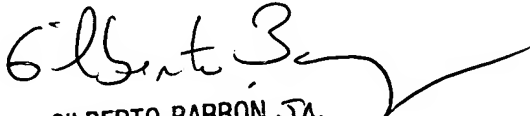
Conclusion

42. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkatanarayanan Perungavoor whose telephone number is 571-272-7213. The examiner can normally be reached on 8-4:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

43. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VP
8/16/2005

Venkatanarayanan Perungavoor
Examiner
Art Unit 2132


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